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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,897	02/15/2001	John F. Morar	YOR920000719US1	4043
29683	7590	09/30/2004	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			BAYAT, BRADLEY B	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/783,897	Applicant(s) MORAR ET AL.	
	Examiner Bradley Bayat	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

Claims 1-80 are pending and presented for examination on the merits.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2 August 2004 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-80 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-25 and corresponding claims 26-80 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are replete with intended use language that renders the claims indefinite. For instance, when applicant modifies claims as doing an action “for the purpose of ...collecting information across a domain, compliance with a regulation, statistics, or other purposes”, that renders the claim indefinite and fails to further claim the subject matter of applicant’s invention.

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The examiner has provided a few other examples to guide the applicant:

As per claim 15, negative limitations render the claim indefinite. Limitations indicating “without” an action do not distinctly claim the subject matter, which the applicant regards as the invention.

As per claim 19, the intended use language in the claim, namely, “making the accumulated recorded information available to interested parties” is indefinite language, which renders the claim indefinite.

As per claim 20, the intended use language in the claim, namely, “for use in the same or in another electronic commerce transaction filter” is indefinite language, which renders the claim indefinite.

As per claim 25, the indefinite language “may be” renders the claim indefinite since it doesn’t render the result of the action with specificity.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Papierniak et al. (hereinafter Papierniak), U.S. Patent 6,151,584.

As per the following claims, Papierniak discloses:

1. A method for operating a data communication system, comprising:

- originating an electronic commerce transaction at a first party (column 4, line 49 – column 5, line 18);
- transmitting the electronic commerce transaction through the data communications network towards a second party (column 4, line 49 – column 5, line 18)
- inputting the electronic commerce transaction to an electronic commerce transaction filter that is interposed between two network components at a location where electronic commerce transaction related messages and message data are cast in a known form for enabling the electronic commerce transactions filter to interpret at least one characteristic of the electronic commerce transaction in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data (column 5, line 19-column 6, line 24); and
- in response to interpreting the at least one characteristic of the electronic commerce transaction, operating the electronic commerce transaction filter to take some action with respect to the electronic commerce transaction (columns 13-14).

2. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an analysis of the electronic commerce transaction for the purpose of collecting information across an administrative domain (columns 13-14).

3. A method as in claim 1, wherein the action taken with respect to the electronic commerce

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transaction is an analysis of the electronic commerce transaction for the purpose of enforcing a policy for an administrative domain (column 12-13).

4. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a modification of the electronic commerce transaction (columns 20-21).

5. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a redirection of the electronic commerce transaction to a third party (columns 15-16).

6. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an extraction of information from the e-commerce transaction for recording the information for statistical or other purposes (columns 7-8).

7. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification of the authenticity of the electronic commerce transaction (columns 9-10).

8. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification of the authenticity of a component part of the electronic commerce transaction (columns 9-10).

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9. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a regulation (columns 12-13).

10. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a standard (columns 17-18).

11. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a termination of the electronic commerce transaction (columns 15-16).

12. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a delay of the electronic commerce transaction (column 19-20).

13. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an encryption of all or a part of the electronic commerce transaction, and sending the encrypted electronic commerce transaction to another destination (columns 3-4).

14. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is generating an alert if an analysis performed by the electronic commerce transaction filter indicates that a certain filtering criterion is met (figures 13 and associated text).

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15. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is passing the electronic commerce transaction through the electronic commerce transaction filter without modification and without recording any information regarding the electronic commerce transaction (negative limitations = no limitation).

16. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is selected at least in part by applying predefined rules to the contents of one or more messages that comprise the electronic commerce transaction (column 21).

17. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is selected at least in part by applying predefined rules that are independent of the contents of one or more messages that comprise the electronic commerce transaction (columns 21-22).

18. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is selected at least in part by applying predefined rules based on at least one of an origin or a destination of the electronic commerce transaction (columns 21-22).

19. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is recording at least one predetermined type of information, and further comprising accumulating recorded information from a plurality of electronic commerce transactions, and making the accumulated recorded information available to interested parties (columns 21-23).

20. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is recording at least one predetermined type of information, and further comprising accumulating recorded information from a plurality of electronic commerce transactions, and deriving a filtering criterion from the accumulated recorded information for use in the same or in another electronic commerce transaction filter (columns 21-23).

21. A method as in claim 1, wherein operating the electronic commerce transaction filter is performed in parallel in a plurality of electronic commerce transaction filters that are disposed between two layers of an administrative domain hierarchy (figures 10-13 and associated text).

22. A method as in claim 1, wherein operating the electronic commerce transaction filter comprises decrypting all or part of the electronic commerce transaction (columns 3-4).

23. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is an encryption of all or a part of the electronic commerce transaction using at least one cryptographic key, and further comprising sending the at least one cryptographic key to another location (columns 3-4).

24. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is a verification that the electronic commerce transaction is in compliance with a predetermined policy (column 21-22).

25. A method as in claim 1, wherein the action taken with respect to the electronic commerce transaction is determining whether the electronic commerce transaction may be fraudulent (columns 3-4).

Claims 26-69 are directed to a computer readable medium and claims 70-80 are directed to a system of the above claimed invention and are rejected as above.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant **should** review the following patents meticulously as they are pertinent to applicant's invention and some have not been cited for redundancy in rejected the claimed invention.

- Patent Nos. 5,592,378 and 5,832,459 to Cameron et al.

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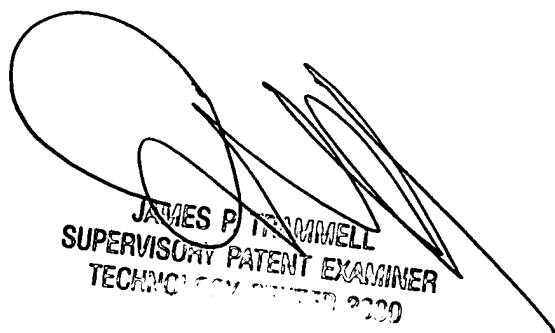
- Patent No. 6,662,226 B1 to Wang et al.
- Patent No. 6,662,192 B1 to Rebane.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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